

103D CONGRESS
2D SESSION

S. 2144

To amend the Individuals with Disabilities Education Act to provide family support for families of children with disabilities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 23 (legislative day, May 16), 1994

Mr. HARKIN (for himself, Mr. JEFFORDS, Mr. KENNEDY, Mr. SIMON, Mr. DODD, Mr. LEAHY, Mr. METZENBAUM, and Mr. WELLSTONE) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To amend the Individuals with Disabilities Education Act to provide family support for families of children with disabilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 (a) This Act may be cited as the "Support for Fami-
5 lies with Children With Disabilities Act of 1994".

1 **SEC. 2. FAMILY SUPPORT FOR FAMILIES OF CHILDREN**
2 **WITH DISABILITIES.**

3 The Individuals with Disabilities Education Act (20
4 U.S.C. 1400 et seq.) is amended by adding at the end
5 the following new part:

6 **“PART I—FAMILY SUPPORT**

7 **“SEC. 701. SHORT TITLE.**

8 “This part may be cited as the ‘Families of Children
9 With Disabilities Support Act of 1994.’

10 **“SEC. 702. FINDINGS, PURPOSES, AND POLICY.**

11 “(a) FINDINGS.—The Congress makes the following
12 findings:

13 “(1) It is in the best interest of our Nation to
14 preserve, strengthen, and maintain the family.

15 “(2) Families are the greatest natural resource
16 available to their children and are the major provid-
17 ers of support, care, and training of their children.

18 “(3) Families of children with disabilities enrich
19 the lives of all citizens through the contributions of
20 such families to the economic, health, and social fab-
21 ric of their community, State and Nation.

22 “(4) A growing number of families are search-
23 ing for ways to empower themselves to raise their
24 children with disabilities at home and in their com-
25 munities. Supporting such families to enable them to

1 care for their children with disabilities at home is ef-
2 ficient and cost-effective.

3 “(5) Children, including children with disabil-
4 ities, benefit from enduring family relationships in a
5 nurturing home environment.

6 “(6) Many families experience exceptionally
7 high financial outlays and significant physical and
8 emotional challenges in meeting the special needs of
9 their children with disabilities.

10 “(7) There are financial disincentives for fami-
11 lies to care for their children with disabilities at
12 home.

13 “(8) Most families of children with disabilities
14 do not have access to family-centered and family-di-
15 rected services to support such families in their ef-
16 forts to care for their children with disabilities at
17 home.

18 “(9) There is a need in each State for a com-
19 prehensive, coordinated, interagency system of fam-
20 ily support that is family-centered and family-di-
21 rected, is easily accessible, avoids duplication, uses
22 existing resources more efficiently, and prevents
23 gaps in services to families in all areas of the State.

24 “(10) The goals of the Nation properly include
25 the goal of providing families of children with dis-

1 abilities the family support necessary to accomplish
2 the following:

3 “(A) To support the family.

4 “(B) To enable families of children with
5 disabilities to nurture and enjoy their children
6 at home.

7 “(C) To enable families to make informed
8 choices and decisions regarding the nature of
9 services, supports, and resources made available
10 to such families.

11 “(b) PURPOSES.—The purposes of this part are as
12 follows:

13 “(1) To provide financial assistance to the
14 States to support systems change and advocacy ac-
15 tivities designed to assist each State to develop and
16 implement, or expand and enhance, a family-cen-
17 tered and family-directed, culturally competent, com-
18 munity-centered, comprehensive, statewide system of
19 family support for families of children with disabil-
20 ities that is designed to—

21 “(A) ensure the full participation, choice
22 and control of families of children with disabil-
23 ities in decisions related to the provision of fam-
24 ily support for their family;

1 “(B) ensure the active involvement of fam-
2 ilies of children with disabilities in the planning,
3 development, implementation, and evaluation of
4 such a statewide system;

5 “(C) increase the availability of, funding
6 for, access to, and provision of family support
7 for families of children with disabilities;

8 “(D) promote training activities that are
9 family-centered and family-directed and that
10 enhance the ability of family members of chil-
11 dren with disabilities to advocate for increased
12 access to, funding for, and provision of family
13 support;

14 “(E) increase and promote interagency co-
15 ordination among State agencies, and between
16 State agencies and private entities that are in-
17 volved in carrying out activities under section
18 708;

19 “(F) increase the awareness of laws, regu-
20 lations, policies, practices, procedures, and or-
21 ganizational structures, which facilitate the
22 availability or provision of family support; and

23 “(G) facilitate the changing of laws, regu-
24 lations, policies, practices, procedures, and or-

1 ganizational structures, which impede the avail-
2 ability or provision of family support.

3 “(2) To identify Federal policies that facilitate
4 or impede family support and that are consistent
5 with the principles in subsection (c).

6 “(3) To enhance the ability of the Federal Gov-
7 ernment to—

8 “(A) provide States with technical assist-
9 ance and information relating to the provision
10 of family support;

11 “(B) conduct an evaluation of the program
12 of grants to States; and

13 “(C) provide funding for model demonstra-
14 tion and innovation projects.

15 “(c) POLICY.—It is the policy of the United States
16 that all programs, projects, and activities receiving assist-
17 ance under this part shall be family-centered and family-
18 directed and shall be carried out in a manner consistent
19 with the following principles:

20 “(1) Family support must focus on the needs of
21 the entire family.

22 “(2) Families of children with disabilities
23 should be supported in determining their needs and
24 in making decisions concerning necessary, desirable,
25 and appropriate services.

1 “(3) Families should play decisionmaking roles
2 in policies and programs that affect the lives of such
3 families.

4 “(4) Family needs change over time and family
5 support must offer options that are flexible and re-
6 sponsive to the unique needs and strengths and cul-
7 tural values of individual families.

8 “(5) Family support is proactive and not solely
9 in response to a crisis.

10 “(6) Families must be supported in their efforts
11 to promote the integration and inclusion of their
12 children with disabilities into all aspects of commu-
13 nity life.

14 “(7) Family support should promote the use of
15 existing social networks, strengthen natural sources
16 of support, and help build connections to existing
17 community resources and services.

18 “(8) Youth with disabilities should be involved
19 in decisionmaking about their own lives, consistent
20 with the unique strengths, resources, priorities, con-
21 cerns, abilities and capabilities of each such youth.

22 “(9) Services and supports must be provided in
23 a manner that demonstrates respect for individual
24 dignity, personal responsibility, self-determination,

1 personal preferences, and cultural differences of
2 families.

3 **“SEC. 703. DEFINITIONS.**

4 “For the purposes of this part, only the following
5 definitions shall apply:

6 “(1) CHILD WITH A DISABILITY.—The term
7 ‘child with a disability’ means an individual who
8 from birth through 21 years of age meets the defini-
9 tion of disability under paragraph (4).

10 “(2) COUNCIL.—The term ‘Council’ means a
11 State Family Support Policy Council established by
12 a State under section 707.

13 “(3) CULTURALLY COMPETENT.—The term
14 ‘culturally competent’ means services, supports, or
15 other assistance that is conducted or provided in a
16 manner that—

17 “(A) is responsive to the beliefs, inter-
18 personal styles, attitudes, language, and behav-
19 iors of those individuals receiving services; and

20 “(B) has the greatest likelihood of ensur-
21 ing maximum participation of such individuals.

22 “(4) DISABILITY.—The term ‘disability’
23 means—

24 “(A) in the case of an individual 6 years
25 of age or older, a significant physical or mental

1 impairment as defined pursuant to State policy
2 to the extent that such policy is established
3 without regard to type of disability; and

4 “(B) in the case of infants and young chil-
5 dren, birth to age 5, inclusive, a substantial de-
6 velopmental delay or specific congenital or ac-
7 quired conditions with a high probability of re-
8 sulting in a disability if services are not pro-
9 vided.

10 “(5) EXISTING COUNCIL.—The term ‘existing
11 Council’ means a State Family Support Policy
12 Council that is established by a State prior to the
13 date on which the State submits an application for
14 funding under this part.

15 “(6) FAMILY.—The term ‘family’ means a
16 group of interdependent persons residing in the
17 same household that consists of a child with a dis-
18 ability and one or more of the following:

19 “(A) A mother, father, brother, sister or
20 any combination.

21 “(B) Extended blood relatives, such as a
22 grandparent, aunt, or uncle.

23 “(C) An adoptive parent.

1 “(D) One or more persons to whom legal
2 custody of a child with a disability has been
3 given by a court.

4 “(E) Short-term foster care that includes a
5 family reunification plan with the biological
6 family.

7 The term does not include employees in settings
8 such as hospitals, nursing homes, personal care
9 homes, board and care homes, group homes, or any
10 other facilities.

11 “(7) FAMILY-CENTERED AND FAMILY-DI-
12 RECTED.—The term ‘family-centered and family-di-
13 rected’ means, with respect to a service or program,
14 that the service or program—

15 “(A) facilitates the full participation,
16 choice, and control by families of children with
17 disabilities in—

18 “(i) decisions relating to the supports
19 that will meet the priorities of the family;
20 and

21 “(ii) the planning, development, im-
22 plementation, and evaluation of the state-
23 wide system of family support for families
24 of children with disabilities;

1 “(B) responds to the needs of the entire
2 family of a child with a disability in a timely
3 and appropriate manner; and

4 “(C) is easily accessible to and usable by
5 families of children with disabilities.

6 “(8) FAMILY SATISFACTION.—The term ‘family
7 satisfaction’ means the extent to which a service or
8 support meets a need, solves a problem, or adds
9 value for a family, as determined by the individual
10 family.

11 “(9) FAMILY SUPPORT.—The term ‘family
12 support’—

13 “(A) means supports, resources, services,
14 and other assistance provided to families of
15 children with disabilities that are designed to—

16 “(i) support families in the efforts of
17 such families to raise their children with
18 disabilities in the family home;

19 “(ii) strengthen the role of the family
20 as primary caregiver;

21 “(iii) prevent inappropriate and un-
22 wanted out-of-the-home placement and
23 maintain family unity; and

1 “(iv) reunite families with children
2 with disabilities who have been placed out
3 of the home, whenever possible; and

4 “(B) includes—

5 “(i) service coordination that includes
6 individualized planning and brokering for
7 services with families in control of decision-
8 making;

9 “(ii) goods and services, which may
10 include specialized diagnosis and evalua-
11 tion, adaptive equipment, respite care (in
12 and out of the home), personal assistance
13 services, homemaker or chore services, be-
14 havioral supports, assistive technology
15 services and devices, permanency or future
16 planning, home and vehicle modifications
17 and repairs, equipment and consumable
18 supplies, transportation, specialized nutri-
19 tion and clothing, counseling services and
20 mental health services for family members,
21 family education or training services, com-
22 munication services, crisis intervention,
23 day care and child care for a child with a
24 disability, supports and services for inte-
25 grated and inclusive community activities,

parent or family member support groups,
peer support, sitter service or companion
service, and education aids; and

“(iii) financial assistance, which may
include discretionary cash subsidies, allow-
ances, voucher or reimbursement systems,
low-interest loans, or lines of credit.

“(10) INTEGRATION AND INCLUSION.—The
term ‘integration and inclusion’ with respect to chil-
dren with disabilities and their families means—

“(A) the use of the same community re-
sources that are used by and available to other
individuals and families;

“(B) the full and active participation in
the same community activities and utilization of
the same community resources as individuals
without disabilities, living, learning, working,
and enjoying life in regular contact with indi-
viduals without disabilities; and

“(C) having friendships and relationships
with individuals and families of their own
choosing.

“(11) LEAD ENTITY.—The term ‘lead entity’
means an office or entity described in section 706.

1 “(12) SECRETARY.—The term ‘Secretary’
2 means the Secretary of Health and Human Services.

3 “(13) SERVICE COORDINATION.—The term
4 ‘service coordination’—

5 “(A) means those family-centered and fam-
6 ily-directed activities that assist and enable
7 families to receive rights and procedural safe-
8 guards and to gain access to social, medical,
9 legal, educational and other supports and serv-
10 ices; and

11 “(B) includes—

12 “(i) follow-along services that assure,
13 through a continuing relationship between
14 a family of a child with a disability and an
15 individual or entity, that the changing
16 needs of the child and family are recog-
17 nized and appropriately met;

18 “(ii) the coordination and monitoring
19 of services provided to children with dis-
20 abilities and their families;

21 “(iii) the provision of information to
22 children with disabilities and their families
23 about the availability of services and as-
24 sistance to such children and their families
25 in obtaining appropriate services; and

1 “(iv) the facilitation and organization
2 of existing social networks, and natural
3 sources of support, and community re-
4 sources and services.

5 “(14) STATEWIDE SYSTEM OF FAMILY SUP-
6 PORT.—The term ‘statewide system of family sup-
7 port’ means a family-centered and family-directed,
8 culturally competent, community-centered, com-
9 prehensive, statewide system of family support devel-
10 oped and implemented by a State under this part
11 that—

12 “(A) addresses the needs of all families of
13 children with disabilities, including unserved
14 and underserved populations; and

15 “(B) addresses such needs without regard
16 to the age, type of disability, race, ethnicity, or
17 gender of such children or the particular major
18 life activity for which such children need the as-
19 sistance.

20 “(15) SYSTEMS CHANGE AND ADVOCACY AC-
21 TIVITIES.—The term ‘systems change and advocacy
22 activities’ means efforts that result in laws, regula-
23 tions, policies, practices, or organizational
24 structures—

1 “(A) that are family-centered and family-
2 directed;

3 “(B) that facilitate and increase access to,
4 provision of, and funding for, family support
5 services for families of children with disabilities;
6 and

7 “(C) otherwise accomplish the purposes of
8 this part.

9 “(16) UNSERVED AND UNDERSERVED POPU-
10 LATIONS.—The term ‘unserved and underserved
11 populations’ includes populations such as individuals
12 from racial and ethnic minority backgrounds, dis-
13 advantaged individuals, individuals with limited-Eng-
14 lish proficiency, individuals from underserved geo-
15 graphic areas (rural or urban), and specific groups
16 of individuals within the population of individuals
17 with disabilities, including individuals with disabili-
18 ties attributable to physical impairment, mental im-
19 pairment, or a combination of physical and mental
20 impairments.

21 **“SEC. 704. GRANTS TO STATES.**

22 “(a) IN GENERAL.—The Secretary shall make grants
23 to States in accordance with the provisions of this part
24 to support systems change and advocacy activities de-
25 signed to assist States to develop and implement, or ex-

1 pand and enhance, a statewide system of family support
2 that accomplishes the purposes described in section 702.

3 “(b) NUMBER OF GRANTS TO BE AWARDED.—From
4 amounts appropriated under section 716(a), the Secretary
5 shall award any number of grants on a competitive basis,
6 to the extent appropriate applications are submitted.

7 “(c) AWARD PERIOD.—Grants shall be awarded for
8 a period of 3 years.

9 “(d) AMOUNT OF GRANTS.—

10 “(1) GRANTS TO STATES.—From amounts ap-
11 propriated under section 716(a), the Secretary shall
12 pay to each State that has an application approved
13 under section 705, for each year of the grant period,
14 an amount that is not less than \$200,000 and not
15 more than \$500,000.

16 “(2) GRANTS TO TERRITORIES.—From
17 amounts appropriated under section 716(a) for any
18 fiscal year, the Secretary shall pay to each territory
19 that has an application approved under section 705
20 not more than \$100,000.

21 “(3) CALCULATION OF AMOUNTS.—The Sec-
22 retary shall calculate a grant amount described in
23 paragraph (1) or (2) on the basis of the following:

24 “(A) The amounts available for making
25 grants under this section.

1 “(B) The child population of the State or
2 territory concerned.

3 “(4) DEFINITIONS.—As used in this subsection:

4 “(A) STATE.—The term ‘State’ means
5 each of the 50 States of the United States, the
6 District of Columbia, and the Commonwealth of
7 Puerto Rico.

8 “(B) TERRITORY.—The term ‘territory’
9 means the United States Virgin Islands, Guam,
10 American Samoa, the Commonwealth of the
11 Northern Mariana Islands, or the Republic of
12 Palau (until the Compact of Free Association
13 takes effect).

14 “(e) PRIORITY FOR PREVIOUSLY PARTICIPATING
15 STATES.—Amounts appropriated for purposes of carrying
16 out the provisions of this section in each of the 2 fiscal
17 years succeeding the fiscal year in which amounts are first
18 appropriated for such purposes shall first be made avail-
19 able to a State that—

20 “(1) received a grant under this section during
21 the fiscal year preceding the fiscal year concerned;
22 and

23 “(2) is making significant progress in accord-
24 ance with section 710.

1 “(f) PRIORITIES FOR DISTRIBUTION.—To the extent
2 practicable, the Secretary shall award grants to States
3 under this section in a manner that—

4 “(1) is geographically equitable; and

5 “(2) distributes the grants among States that
6 have differing levels of development of statewide sys-
7 tems of family support.

8 **“SEC. 705. APPLICATION.**

9 “A State that desires to receive a grant under this
10 part shall submit an application to the Secretary that con-
11 tains the following information and assurances:

12 “(1) FAMILY-CENTERED AND FAMILY-DI-
13 RECTED APPROACH.—An assurance that the State
14 will use funds made available under this part to ac-
15 complish the purposes described in section 702 and
16 the goals, objectives, and family-centered outcomes
17 described in section 709(b) by carrying out systems
18 change and advocacy activities in partnership with
19 families and in a manner that is family-centered and
20 family-directed.

21 “(2) DESIGNATION OF THE LEAD ENTITY.—In-
22 formation identifying the lead entity, and evidence
23 documenting the abilities of such entity.

24 “(3) STATE FAMILY SUPPORT POLICY COUN-
25 CIL.—An assurance of the following:

1 “(A) The State has established a Council
2 that meets the criteria set forth in section 707.

3 “(B) The lead entity will seek and consider
4 on a regular and ongoing basis advice from the
5 Council regarding the development and imple-
6 mentation of the strategic plan under section
7 709, and other policies and procedures of gen-
8 eral applicability pertaining to the provision of
9 family support in the State.

10 “(C) The lead entity will include, in its an-
11 nual progress reports, a summary of advice pro-
12 vided by the Council, including recommenda-
13 tions from the annual report of the Council and
14 the response of the lead entity to such advice
15 and recommendations.

16 “(D) The lead entity will transmit to the
17 Council any other plans, reports, and other in-
18 formation required under this part.

19 “(4) FAMILY INVOLVEMENT.—A description of
20 the following:

21 “(A) The nature and extent of the involve-
22 ment of families of children with disabilities and
23 individuals with disabilities in the development
24 of the application.

1 “(B) Strategies for actively involving fami-
2 lies of children with disabilities and individuals
3 with disabilities in the development, implemen-
4 tation, and evaluation of the statewide system
5 of family support.

6 “(C) Strategies for actively involving fami-
7 lies of children with disabilities who use family
8 support services in decisions relating to such
9 services.

10 “(5) AGENCY INVOLVEMENT.—A description of
11 the nature and extent of involvement of various
12 State agencies or units within State agencies in the
13 preparation of the application and the continuing
14 role of each agency in the development and imple-
15 mentation, or expansion and enhancement, of the
16 statewide system of family support, including the
17 identification of the available resources of each agen-
18 cy for family support.

19 “(6) STATE RESOURCES.—A description of the
20 State resources and other resources that are avail-
21 able to commit to the development and implementa-
22 tion, or expansion and enhancement, of a statewide
23 system of family support.

24 “(7) UNMET NEEDS.—A description of unmet
25 needs for family support within the State, including

1 a summary of existing information regarding the
2 number, types, and geographic distribution of
3 unserved and underserved families, and of previous
4 and ongoing efforts to develop and implement, or ex-
5 pand and enhance, a statewide system of family sup-
6 port.

7 “(8) PRELIMINARY PLAN.—A preliminary plan
8 that contains information on the program to be car-
9 ried out under the grant with respect to the goals
10 and objectives of the State for the program and the
11 activities that the State plans to carry out under the
12 program (including the process for appointing indi-
13 viduals to the Council) and that is consistent with
14 the purposes of this part. Such preliminary plan
15 shall be reviewed and revised as part of the strategic
16 planning requirement. Such plan shall identify strat-
17 egies to ensure the full participation of families from
18 unserved and underserved groups.

19 “(9) ACTIVITIES.—An assurance that, except
20 for the first year of the grant, the State shall expend
21 not less than 65 percent of the funds made available
22 to a State under this part for grants and contracts
23 to conduct the activities described in section 708.

24 “(10) LIMIT ON ADMINISTRATIVE COSTS.—An
25 assurance that the lead entity that receives funding

1 under this part in any fiscal year shall use not more
2 than 8 percent of such funds in such year for ad-
3 ministrative expenses. Such administrative expenses
4 shall not include expenses related to the activities of
5 the Council.

6 “(11) STRATEGIC PLAN.—A description of the
7 steps that will be taken by the State to develop a
8 strategic plan in accordance with section 709.

9 “(12) EVALUATION.—An assurance that the
10 State will conduct an annual evaluation of the state-
11 wide system of family support in accordance with
12 section 710.

13 “(13) DATA COLLECTION.—A description of the
14 data collection system to be used for compiling infor-
15 mation as required by the Secretary and the proce-
16 dures that will be used to conduct evaluations of the
17 system.

18 “(14) REPORTS.—An assurance that the State
19 will carry out the following activities:

20 “(A) Preparation and submission of re-
21 ports, including annual progress reports as de-
22 scribed in section 710, to the Secretary in such
23 form and containing such information as the
24 Secretary may require.

1 “(B) Maintenance of such records and al-
2 lowance of access to such records as the Sec-
3 retary may require to ensure the correctness
4 and verification of information provided to the
5 Secretary under this paragraph.

6 “(15) COORDINATION WITH STATE AND LOCAL
7 COUNCILS.—An assurance that the lead entity will
8 coordinate the activities funded through a grant
9 made under this part with the activities carried out
10 by other councils within the State, including the fol-
11 lowing councils:

12 “(A) The State Developmental Disabilities
13 Planning Council, established under the Devel-
14 opmental Disabilities Assistance and Bill of
15 Rights Act.

16 “(B) The State Interagency Coordinating
17 Council, established under the Individuals with
18 Disabilities Education Act.

19 “(C) Local or regional family support
20 councils within the State, to the extent that
21 such councils exist.

22 “(16) AVAILABILITY OF INFORMATION.—An as-
23 surance that the State will make available informa-
24 tion to family members of children with disabilities,
25 and to agencies and organizations that are in con-

1 tact with such families, concerning family support
2 policies and programs. Such information shall be
3 available in a form that will allow such family mem-
4 bers to effectively use such information. In prepara-
5 tion of such information, the State shall consider the
6 needs of family members with disabilities, and fami-
7 lies of diverse racial and ethnic backgrounds.

8 “(17) PARTICIPATION.—An assurance that the
9 State will take affirmative measures to assure that
10 participation in programs under this part is geo-
11 graphically representative of the State, and reflects
12 the diversity of the State with respect to race, eth-
13 nicity, and socioeconomic status.

14 “(18) STATE POLICIES WITH RESPECT TO CON-
15 TRACTS AND AGREEMENTS.—A description of the
16 policies governing contracts, grants, and other ar-
17 rangements with public agencies, private-nonprofit
18 organizations, and other entities or individuals for
19 the purposes of providing family support consistent
20 with the provisions of this part.

21 “(19) SUPPLEMENT OTHER FUNDS.—An assur-
22 ance, with respect to amounts received under a
23 grant, of the following:

24 “(A) Such grant will be used to supple-
25 ment and not supplant amounts available from

1 other sources that are expended for family sup-
2 port programs, including the provision of family
3 support.

4 “(B) Such grant will not be used to pay a
5 financial obligation for family support that
6 would have been paid with amounts available
7 from other sources if amounts under such grant
8 had not been available unless the following cir-
9 cumstances occur:

10 “(i) Such payment is made only to
11 prevent a delay in the receipt of family
12 support by a family of a child with a dis-
13 ability.

14 “(ii) The entity or agency responsible
15 subsequently reimburses the appropriate
16 account with respect to programs and ac-
17 tivities under the grant in an amount equal
18 to the amount of such payment.

19 “(20) AUTHORITY TO USE FUNDS.—An assur-
20 ance that the lead entity will have the authority to
21 use funds made available under this part to comply
22 with the requirements of this part, including the
23 ability to hire qualified staff necessary to carry out
24 activities under the program.

1 “(21) COMMINGLING OF FUNDS.—An assurance
2 that amounts received under the grant will not be
3 commingled with State or other funds.

4 “(22) FISCAL CONTROL AND ACCOUNTING PRO-
5 CEDURES.—An assurance that the State will adopt
6 such fiscal control and accounting procedures as
7 may be necessary to ensure proper disbursement of
8 and accounting for amounts received under the
9 grant.

10 “(23) COMPLIANCE WITH PART.—An assurance
11 that amounts received under the grant will be ex-
12 pended in accordance with the provisions of this
13 part.

14 “(24) OTHER INFORMATION AND ASSUR-
15 ANCES.—Such other information and assurances as
16 the Secretary may reasonably require.

17 **“SEC. 706. DESIGNATION OF THE LEAD ENTITY.**

18 “(a) DESIGNATION.—The Chief Executive Officer of
19 a State that desires to receive a grant under section 704,
20 shall designate the office or entity (referred to in this part
21 as the “lead entity ”) responsible for—

22 “(1) submitting the application under section
23 705 on behalf of the State;

24 “(2) administering and supervising the use of
25 the amounts made available under the grant;

1 “(3) coordinating efforts related to and super-
2 vising the preparation of the application;

3 “(4) coordinating the planning, development,
4 implementation (or expansion and enhancement),
5 and evaluation of a statewide system of family sup-
6 port services among public agencies and between
7 public agencies and private agencies, including co-
8 ordinating efforts related to entering into inter-
9 agency agreements; and

10 “(5) coordinating efforts related to the mean-
11 ingful participation by families with respect to activi-
12 ties carried out under a grant awarded under this
13 part.

14 “(b) QUALIFICATIONS.—In designating the lead en-
15 tity, the Chief Executive Officer may designate—

16 “(1) an office of the Chief Executive Officer;

17 “(2) a commission appointed by the Chief Exec-
18 utive Officer;

19 “(3) a public agency;

20 “(4) a council established under Federal or
21 State law; or

22 “(5) another appropriate office, agency, or en-
23 tity.

24 “(c) CAPABILITIES OF THE LEAD ENTITY.—The
25 State shall provide, in accordance with the requirements

1 of section 705, evidence that the lead entity has the
2 capacity—

3 “(1) to promote a statewide system of family
4 support throughout the State;

5 “(2) to promote and implement systems change
6 and advocacy activities;

7 “(3) to maximize access to public and private
8 funds for family support services;

9 “(4) to exercise leadership in implementing ef-
10 fective strategies for capacity building, family and
11 professional training, and access to and funding for
12 family support services across agencies;

13 “(5) to promote and facilitate the implementa-
14 tion of family support services that are family-cen-
15 tered and family-directed, and flexible, and that pro-
16 vide families with the greatest possible decisionmak-
17 ing authority and control regarding the nature and
18 use of services and supports;

19 “(6) to promote leadership by families in plan-
20 ning, policy development, implementation, and eval-
21 uation of family support services, and parent-profes-
22 sional partnerships; and

23 “(7) to promote and develop interagency coordi-
24 nation and collaboration.

1 **"SEC. 707. STATE FAMILY SUPPORT POLICY COUNCIL.**

2 “(a) ESTABLISHMENT.—A State that desires to re-
3 ceive financial assistance under this part shall, prior to
4 the receipt of funds under this part, establish a State
5 Family Support Policy Council.

6 “(b) APPOINTMENTS.—

7 “(1) MEMBERS.—Members of the Council shall
8 be appointed by the Chief Executive Officer of the
9 State or the appropriate official within the State re-
10 sponsible for making appointments in accordance
11 with subsection (c). The appointing authority shall
12 select members after soliciting recommendations
13 from the State Developmental Disabilities Council,
14 parent or family advocacy organizations, and other
15 organizations representing the full range of disabil-
16 ities covered under this part. The appointing author-
17 ity shall ensure that the membership of the Council
18 reasonably represents the population of the State
19 and shall establish guidelines for terms of Council
20 members.

21 “(2) CHAIRPERSON.—The Council shall elect a
22 member of the Council to serve as the Chairperson
23 of the Council. The Chairperson shall be a family
24 member, as described in subsection (c)(1), and may
25 not be an employee of a State agency. The term of

the Chairperson shall not exceed two 2-year terms or one 4-year term.

“(c) COMPOSITION.—The Council shall be composed of—

“(1) a majority of members who are—

“(A) individuals who are family members of children with disabilities and who are—

“(i) from families that have within such families a range of ages of children with disabilities and a range of types and severity of disabilities among family members;

“(ii) representative of the racial and ethnic population of the State and of the geographic areas of the State;

“(iii) members of local family support councils, where such councils exist; and

“(iv) eligible for family support; and

“(B) children with disabilities, from age 18 to 21, and are representative of the racial and ethnic population of the State and of the geographic areas of the State;

“(2) at least one member from each of the State agencies with significant responsibility for the provision of, or payment for, family support services

1 to families of children with disabilities, who has suf-
2 ficient authority to engage in policy planning and
3 implementation on behalf of such agencies, and from
4 the office of the Chief Executive Officer of the State
5 with responsibility with respect to budget and fi-
6 nance;

7 “(3) a representative of the State legislature;

8 “(4) at least one member who is a public or pri-
9 vate provider of family support services; and

10 “(5) at least one member who is involved with
11 the education and training of personnel employed to
12 work with children with disabilities and their fami-
13 lies.

14 “(d) MEETINGS.—The Council shall meet at least
15 quarterly and in such places as it deems necessary. The
16 meetings shall be publicly announced, and, to the extent
17 appropriate, open and accessible to the general public.

18 “(e) FUNCTIONS.—The Council shall—

19 “(1) establish policies regarding the operation
20 of the Council;

21 “(2) advise and assist the lead entity in the
22 performance of responsibilities described in section
23 706(a), particularly the promotion of interagency
24 agreements and the promotion of meaningful partici-

1 pation by families in all aspects of the statewide sys-
2 tem of family support;

3 “(3) advise and assist State agencies in the de-
4 velopment of policies and procedures relating to the
5 provision of family support in the State;

6 “(4) advise and assist the lead entity in the de-
7 velopment of all aspects of a strategic plan under
8 section 709, including—

9 “(A) the mission, philosophy, values and
10 principles of the statewide system of family sup-
11 port;

12 “(B) the statement of family-centered out-
13 comes;

14 “(C) the goals, objectives, and activities;

15 “(D) the quality improvement or quality
16 enhancement system;

17 “(E) the appeals process;

18 “(F) the eligibility criteria to be used for
19 all programs, projects, and activities carried out
20 under this part;

21 “(G) the analysis of the extent to which
22 family support is defined as a benefit and not
23 as income; and

24 “(H) the approach to the evaluation of the
25 statewide system of family support;

1 “(5) advise and assist the lead entity in the im-
2 plementation of systems change and advocacy activi-
3 ties;

4 “(6) advise and assist the lead entity in assess-
5 ing family satisfaction with the statewide system of
6 family support;

7 “(7) review, analyze, and comment on the stra-
8 tegic plan and updates to the plan, progress reports,
9 and annual budgets;

10 “(8) advise and assist the lead entity in the
11 identification of Federal and State barriers that im-
12 pede the development of a statewide system of fam-
13 ily support; and

14 “(9) prepare and submit to the Chief Executive
15 Officer of the State, the State legislature, and to the
16 Secretary an annual report on the status of family
17 support services for families of children with disabil-
18 ities, and make such report available to the public.

19 “(f) HEARINGS AND FORUMS.—The Council is au-
20 thorized to hold such hearings and forums as the Council
21 may determine to be necessary to carry out the duties of
22 the Council.

23 “(g) CONFLICT OF INTEREST.—No member of the
24 Council shall cast a vote on any matter that would provide
25 direct financial benefit to such member or otherwise give

1 the appearance of a conflict of interest under applicable
2 State law.

3 “(h) COMPENSATION AND EXPENSES.—The Council
4 may, consistent with State law, use such resources to re-
5 imburse members of the Council for reasonable and nec-
6 essary expenses of attending Council meetings and per-
7 forming Council duties (including child care and personal
8 assistance services), and to pay compensation to a member
9 of the Council, if such member is not employed or must
10 forfeit wages from other employment, for each day the
11 member is engaged in performing Council duties.

12 “(i) USE OF EXISTING COUNCIL.—

13 “(1) IN GENERAL.—To the extent that a State
14 has an existing Council, the existing Council shall be
15 considered in compliance with this section if the ex-
16 isting Council meets the requirements under para-
17 graph (2).

18 “(2) REQUIREMENTS.—An existing Council
19 shall—

20 “(A) carry out functions that are com-
21 parable to the functions described in subsection
22 (e);

23 “(B) include a majority of members who
24 are family members of children with disabilities

1 and who are children with disabilities (from age
2 18 to 21); and

3 “(C) in the case in which the existing
4 Council does not represent the full range of
5 families and individuals described in subsection
6 (c)(1), adopt strategies that will ensure the full
7 participation of such families and individuals in
8 all activities carried out by the Council.

9 “(3) TIMELINE FOR COMPLIANCE.—

10 “(A) STATUTORY.—In those States in
11 which the existing Council is established by
12 State statute and such statute must be amend-
13 ed to bring the existing Council into compliance
14 with subsections (a) through (h), the State stat-
15 ute must be amended, not later than 24 months
16 after the date on which the State accepts funds
17 under this part, to ensure that the existing
18 Council is in compliance.

19 “(B) NONSTATUTORY.—In those States in
20 which an amendment to State statute is not
21 necessary in order to bring the existing Council
22 in compliance with subsections (a) through (h),
23 the State shall ensure that the existing Council
24 is in compliance with this section not later than

1 6 months after the date on which the State ac-
2 cepts funds under this part.

3 “(4) DOCUMENTATION OF COMPLIANCE.—Any
4 State that has an existing Council shall include in
5 a grant application submitted under section 705 and
6 in subsequent annual progress reports submitted to
7 the Secretary under section 710, a description of the
8 measures that are being taken or that are planned,
9 to ensure that the existing Council of the State com-
10 plies with this section.

11 **“SEC. 708. AUTHORIZED ACTIVITIES.**

12 “A State that receives a grant under section 704 may
13 use the funds made available through the grant to carry
14 out such systems change and advocacy activities that ac-
15 complish the purposes described in section 702, including
16 the following activities:

17 “(1) TRAINING AND TECHNICAL ASSISTANCE.—
18 The State may support training and technical assist-
19 ance activities for family members, service providers,
20 community members, professionals, members of the
21 Council, students and others that will do the follow-
22 ing:

23 “(A) Enhance the ability of family mem-
24 bers of children with disabilities to advocate for

1 increased access to, funding for, and provision
2 of family support.

3 “(B) Increase family participation, choice,
4 and control in the provision of family support.

5 “(C) Promote partnerships with families at
6 all levels of the service system.

7 “(D) Develop or strengthen family-cen-
8 tered and family-directed approaches to serv-
9 ices, including service coordination services,
10 service planning services, and respite care serv-
11 ices.

12 “(E) Assist families in accessing natural
13 and community supports and in obtaining bene-
14 fits and services.

15 “(2) INTERAGENCY COORDINATION.—The State
16 may support activities that conduct the following:

17 “(A) Identification and coordination of
18 Federal and State policies, resources, and serv-
19 ices, relating to the provision of family support
20 services for families with children with disabil-
21 ities, including entering into interagency agree-
22 ments.

23 “(B) Interagency work groups to enhance
24 public funding options and coordinate access to
25 funding for family support services for families

1 with children with disabilities, with special at-
2 tention to the issues of family involvement in
3 the identification, planning, use, delivery, and
4 evaluation of such services.

5 “(C) Documentation and dissemination of
6 information about interagency activities that
7 promote coordination with respect to family
8 support services, including evidence of increased
9 participation of State and local health, maternal
10 and child health, social service, mental health,
11 mental retardation and developmental disabili-
12 ties, child protection, education, early interven-
13 tion, developmental disabilities councils, agen-
14 cies and departments.

15 “(3) LOCAL OR REGIONAL COUNCILS.—The
16 State may support the development or enhancement
17 of local or regional councils to review the status of
18 family support in the local or regional area, to ad-
19 vise and assist with the planning, development, im-
20 plementation, and evaluation of family support in
21 such local or regional area, and to provide rec-
22 ommendations to the State regarding improvements
23 and plans.

24 “(4) OUTREACH.—The State may conduct out-
25 reach activities to locate families who are eligible for

1 family support and to identify groups who are
2 unserved or underserved. Such activities may involve
3 the creation or maintenance of, support of, or provi-
4 sion of, assistance to statewide and community par-
5 ent advocacy organizations, and organizations that
6 provide family support to families of children with
7 disabilities.

8 “(5) ADVOCACY SERVICES.—The State may
9 support advocacy services to enable families of chil-
10 dren with disabilities to access family support. Such
11 services may include representation of children with
12 disabilities and their families, and training activities
13 that are family-centered and family-directed and
14 that enhance the ability of families of children with
15 disabilities to advocate for increased access to, fund-
16 ing for, and provision of family support.

17 “(6) POLICY STUDIES.—The State may support
18 policy studies that relate to the development and im-
19 plementation, or expansion and enhancement, of a
20 statewide system of family support. Such studies
21 may address issues regarding eligibility and access
22 to services.

23 “(7) HEARINGS AND FORUMS.—The State may
24 conduct hearings and forums to solicit input from
25 families regarding family support programs, policies,

1 and plans. Such hearings and forums may be con-
2 ducted in collaboration with other statewide councils.

3 “(8) PUBLIC AWARENESS AND EDUCATION.—

4 The State may develop and disseminate information
5 relating to family support designed to provide infor-
6 mation to families of children with disabilities, par-
7 ent advocacy groups and organizations, public and
8 private agencies that are in contact with children
9 with disabilities and families of such children, stu-
10 dents, policymakers, and the public. Such informa-
11 tion may relate to the nature, cost, and availability
12 of, and accessibility to, family support, the impact of
13 family support on other benefits, and the efficacy of
14 family support with respect to enhancing the quality
15 of family life.

16 “(9) NEEDS ASSESSMENT.—The State may
17 conduct a needs assessment, which may, in part, be
18 based on existing State data.

19 “(10) PROGRAM DATA.—The State may support
20 the compilation and evaluation of appropriate data
21 related to the statewide system of family support.

22 “(11) PILOT DEMONSTRATION PROJECTS.—The
23 State may support pilot demonstration projects to
24 demonstrate new approaches to the provision of fam-
25 ily support. Such projects may include the dem-

1 onstration of family-centered and family-directed
2 service coordination, approaches to improve access to
3 services, including independent service coordination,
4 peer support networks, and voucher programs.

5 “(12) OTHER ACTIVITIES.—The State may sup-
6 port other systems change and advocacy activities
7 that accomplish the purposes described in section
8 702.

9 **“SEC. 709. STRATEGIC PLAN.**

10 “(a) IN GENERAL.—Not later than 1 year after the
11 date on which assistance is received by a State under this
12 part, the lead entity of the State, in conjunction with the
13 Council, shall prepare and submit to the Secretary a stra-
14 tegic plan designed to achieve the purposes and policy of
15 this part.

16 “(b) CONTENTS.—The strategic plan shall include—

17 “(1) a statement of the mission, philosophy,
18 values, and principles of the statewide system of
19 family support in the State;

20 “(2) a statement of family-centered outcomes to
21 be achieved by the statewide system of family sup-
22 port;

23 “(3) specific goals and objectives for developing
24 and implementing, or expanding and improving, the

1 system for providing family support services, and for
2 achieving the family-centered outcomes;

3 “(4) systemic approaches for accomplishing the
4 objectives and achieving the family-centered out-
5 comes, including interagency coordination and co-
6 operation, that builds upon state-of-the-art practices
7 and research findings;

8 “(5) a description of the specific programs,
9 projects, and activities funded under this part and
10 the manner in which the programs, projects, and ac-
11 tivities accomplish the objectives and achieve the
12 family-centered outcomes;

13 “(6) a description of an ongoing quality im-
14 provement or quality enhancement system, which
15 utilizes information from ongoing measurements of
16 the extent to which family-centered outcomes are
17 achieved, to improve the system;

18 “(7) a description of an appeals process that
19 will be used in resolving any disputes families may
20 have regarding the determination of eligibility or the
21 provision of family support services to the family or
22 to the child with a disability;

23 “(8) a description of the eligibility criteria to be
24 used to carry out programs, projects, and activities
25 under this part that includes all eligible families;

1 “(9) an analysis of the extent to which family
2 support for an individual family is defined as a bene-
3 fit and not as income; and

4 “(10) a description of the plan to conduct an
5 annual evaluation of the statewide system of family
6 support, in conjunction with the Council, to improve
7 such statewide system and to document progress as
8 required by section 710.

9 “(c) PERIOD AND UPDATES.—The strategic plan
10 shall cover the period of the grant and shall be reviewed
11 and updated on an annual basis to reflect actual experi-
12 ence and family satisfaction information over the preced-
13 ing year and input from the Council, families of children
14 with disabilities, and other interested parties.

15 “(d) RECOMMENDATIONS.—Prior to developing the
16 strategic plan, the State shall solicit input and rec-
17 ommendations from interested members of the public, ei-
18 ther by holding public hearings or through an alternative
19 method or methods determined by the lead entity in con-
20 sultation with the Council. The lead entity shall also ob-
21 tain the comments and recommendations of the Council.
22 The lead entity, in conjunction with the Council, shall con-
23 sider the recommendations and attempt to reach a consen-
24 sus with respect to such recommendations. If the lead en-
25 tity and the Council are unable to reach a consensus, the

1 lead entity shall include a written explanation of the rea-
2 son a consensus was not reached in the strategic plan.

3 “(e) COMMENT.—The State shall develop a procedure
4 for ensuring ongoing comment from the Council.

5 “(f) DISSEMINATION.—The State shall widely dis-
6 seminate the strategic plan to families of children with dis-
7 abilities, parent advocacy organizations, and other inter-
8 ested persons.

9 “(g) CONSTRUCTION.—Nothing in this section shall
10 be construed to prevent a State from using an existing
11 statewide strategic plan or parts thereof to meet the re-
12 quirements of this section as long as such plan or the ap-
13 plicable parts thereof meet the specifications of this sec-
14 tion.

15 **“SEC. 710. PROGRESS CRITERIA AND REPORTS.**

16 “(a) GUIDELINES.—The Secretary shall develop
17 guidelines to be used in assessing the extent to which a
18 State that received a grant under section 704 is making
19 significant progress in developing and implementing, or
20 expanding and enhancing, a statewide system of family
21 support consistent with the purposes of this part.

22 “(b) PROGRESS REPORTS.—A State that receives a
23 grant under section 704 shall submit annually to the Sec-
24 retary a report that documents progress in developing and
25 implementing, or expanding and enhancing, a statewide

1 system of family support consistent with this part. Such
2 report shall include—

3 “(1) the results of the annual evaluation of the
4 statewide system of family support, including—

5 “(A) the extent to which the purposes of
6 this part, and the goals and objectives described
7 in section 709(b)(3) have been achieved,
8 including—

9 “(i) the extent to which the family-
10 outcomes described in section 709(b)(3)
11 have been achieved;

12 “(ii) the degree of family satisfaction
13 with the program;

14 “(iii) increases in the availability of,
15 funding for, access to, and provision of
16 family support;

17 “(iv) an analysis of the laws, regula-
18 tions, policies, practices, procedures, and
19 organizational structures that the State
20 has changed, or has attempted to change,
21 to facilitate and increase access to, provi-
22 sion of, and funding for family support;

23 “(v) a description of any written poli-
24 cies and procedures that the State has de-
25 veloped and implemented regarding access

1 to, provision of, and funding for family
2 support;

3 “(vi) the degree of involvement of var-
4 ious State agencies in the development, im-
5 plementation and evaluation of the system,
6 including interagency agreements that the
7 State has developed and implemented re-
8 garding access to, provision of, and fund-
9 ing for family support;

10 “(vii) the activities undertaken to col-
11 lect and disseminate information, including
12 outreach activities to unserved and under-
13 served populations; and

14 “(viii) the involvement of families of
15 children with disabilities who represent a
16 variety of ages and types of disabilities, in
17 the development of the Federal grant ap-
18 plication to the Secretary, and in the plan-
19 ning, development and implementation,
20 and evaluation of the statewide system of
21 family support, including activities under-
22 taken to improve such involvement, such as
23 family training and outreach activities to
24 unserved and underserved populations; and

1 “(B) the areas of need that require atten-
2 tion;

3 “(2) a description of the unanticipated prob-
4 lems with the achievement of the goals, objectives,
5 and family-centered outcomes described in the appli-
6 cation or strategic plan and the activities the State
7 has taken to rectify these problems;

8 “(3) for the annual progress report concerning
9 the first year of the grant period, the strategic plan
10 developed by the State during the first year; and

11 “(4) for the annual progress report concerning
12 subsequent years of the grant period, the updated
13 strategic plan.

14 **“SEC. 711. ADMINISTRATIVE PROVISIONS.**

15 “(a) **EVALUATION OF GRANT APPLICATIONS.—**

16 “(1) **PANELS.—**The Secretary shall convene
17 panels of experts who are competent, by virtue of
18 their training or experience, to evaluate grant appli-
19 cations under this part.

20 “(2) **COMPOSITION OF PANELS.—**Panels shall
21 be composed of a majority of family members of
22 children with disabilities and individuals with dis-
23 abilities, and may include service providers, State
24 administrative personnel, and professionals. Panels

1 shall include a majority of individuals who are not
2 Federal employees.

3 “(3) EXPENSES AND FEES OF THE PANEL.—A
4 member of the Panel who is not a Federal employee
5 shall receive travel, per diem and consultant fees not
6 to exceed the rate provided to other consultants used
7 by the Secretary. The Secretary may use funds
8 available under section 716 to pay expenses and fees
9 of a member of a Panel who is not a Federal em-
10 ployee.

11 “(b) PROVISION OF INFORMATION.—To assist the
12 Secretary in carrying out the responsibilities of the Sec-
13 retary under this section, the Secretary may require States
14 to provide relevant information, including recommenda-
15 tions and relevant reports of the Council.

16 “(c) APPEALS.—The Secretary shall establish ap-
17 peals procedures for States that are found in noncompli-
18 ance with the provisions of this part as the result of failure
19 to supply information required under section 705 or 710.
20 The Secretary shall take into consideration the comments
21 of the Council.

22 “(d) EFFECT ON OTHER ASSISTANCE.—This part
23 may not be construed as authorizing a Federal or State
24 agency to reduce medical or other assistance available, or
25 to alter eligibility, under any Federal law.

1 “(e) UNOBLIGATED FUNDS.—Any amount paid to a
2 State for a fiscal year and remaining unobligated at the
3 end of such year shall remain available to such State for
4 the next fiscal year for the purposes for which such
5 amount was paid.

6 **“SEC. 712. TECHNICAL ASSISTANCE.**

7 “(a) IN GENERAL.—The Secretary shall make
8 grants, or enter into contracts or cooperative agreements,
9 with appropriate public or private agencies and organiza-
10 tions, including institutions of higher education, with doc-
11 umented experience, expertise, and capacity, for the pur-
12 pose of providing technical assistance and information
13 with respect to the development and implementation, or
14 expansion and enhancement, of a statewide system of fam-
15 ily support.

16 “(b) PURPOSE.—With respect to States receiving as-
17 sistance under this part, the technical assistance and in-
18 formation described under subsection (a) shall be provided
19 to the State agency designated as the lead entity, the
20 Council, family members of, and advocates for, children
21 with disabilities, service providers, and policymakers in-
22 volved with children with disabilities and their families.
23 Such technical assistance shall also be available to States
24 that do not receive assistance under this part. Such tech-
25 nical assistance and information shall—

1 “(1) facilitate effective systems change and ad-
2 vocacy activities;

3 “(2) promote effective approaches to the devel-
4 opment and implementation, or expansion and en-
5 hancement of, the statewide systems of family sup-
6 port that increase access to, funding for, and aware-
7 ness of family support;

8 “(3) promote partnerships with families at all
9 levels of the service system;

10 “(4) foster awareness and understanding of
11 Federal, State, and local laws, regulations, policies,
12 practices, procedures, and organizational structures,
13 that facilitate, and overcome barriers to, funding for,
14 and access to family support;

15 “(5) foster the development and replication of
16 effective approaches to strategic plan development,
17 interagency coordination, training, outreach to un-
18 derserved groups, and public awareness activities;

19 “(6) facilitate service delivery capacity, train-
20 ing, and the improvement of data collection and
21 evaluation systems;

22 “(7) promote effective approaches to the devel-
23 opment of family-centered and family-directed serv-
24 ices, including approaches to the development and
25 measurement of family-centered outcomes described

1 in section 709(b)(2), and the assessment of family
2 satisfaction described in section 710(b)(1)(A)(ii);
3 and

4 “(8) coordinate and facilitate an annual meet-
5 ing of the chairpersons of the Councils.

6 “(c) REQUEST FOR TECHNICAL ASSISTANCE.—A re-
7 quest for technical assistance by a lead entity in a State
8 receiving assistance under this part shall be made in con-
9 junction with the Council.

10 “(d) REPORTS TO THE SECRETARY.—An entity pro-
11 viding the technical assistance under this section shall
12 submit periodic reports to the Secretary regarding Federal
13 policies and procedures identified within the States that
14 impede the delivery of family support.

15 **“SEC. 713. EVALUATION.**

16 “(a) IN GENERAL.—The Secretary shall make
17 grants, or enter into contracts or cooperative agreements,
18 with appropriate public or private agencies and organiza-
19 tions, including institutions of higher education, with doc-
20 umented experience, expertise, and capacity for the pur-
21 pose of conducting a national evaluation of the program
22 of grants to States authorized by this part.

23 “(b) PURPOSE.—The purpose of an evaluation under
24 subsection (a) shall be to assess the status and effects of
25 State efforts to develop and implement, or expand and en-

1 hance, statewide systems of family support in a manner
2 consistent with the provisions of this part, particularly in
3 terms of the impact of such efforts on families of children
4 with disabilities, and to recommend amendments to this
5 part that are necessary to assist States to fully accomplish
6 the purposes of this part. The Secretary or recipient of
7 assistance under this section shall work with the States
8 to consider and develop an information system designed
9 to report and compile, from information provided by the
10 States, including the Council, a qualitative and quan-
11 titative description of the impact of the program of grants
12 to States authorized by this part on—

13 “(1) families of children with disabilities, in-
14 cluding families from ethnic and racial minority
15 backgrounds;

16 “(2) access to and funding for family support;
17 and

18 “(3) the involvement of families at all levels of
19 the service system.

20 “(c) REPORT TO CONGRESS.—Not later than 2½
21 years after the date of enactment of this part, the Sec-
22 retary shall prepare and submit to the appropriate com-
23 mittees of Congress a report concerning the results of the
24 evaluation conducted under this section.

1 “(d) CONFLICT OF INTEREST.—The Secretary shall
2 assure that a recipient of a grant, contract, or cooperative
3 agreement under this section is independent from, and
4 free from, any financial or personal relationships with the
5 recipient of a grant, contract, or cooperative agreement
6 selected to provide technical assistance under section 712.

7 **“SEC. 714. PROJECTS OF NATIONAL SIGNIFICANCE.**

8 “(a) STUDY BY THE SECRETARY.—The Secretary
9 shall review Federal programs to determine the extent to
10 which such programs facilitate or impede access to, provi-
11 sion of, and funding for family support, consistent with
12 the policies described in section 702.

13 “(b) DEMONSTRATION AND INNOVATION
14 PROJECTS.—The Secretary shall make grants or enter
15 into contracts for projects of national significance to sup-
16 port the development of national and State policies and
17 practices related to the development and implementation,
18 or expansion and enhancement, of family-centered and
19 family-directed systems of family support for families of
20 children with disabilities.

21 **“SEC. 715. CONSTRUCTION.**

22 “Notwithstanding any other provision of this title,
23 nothing in parts A through H of this title shall be con-
24 strued to apply to this part.

1 **“SEC. 716. AUTHORIZATION OF APPROPRIATIONS.**

2 “(a) IN GENERAL.—There are authorized to be ap-
3 propriated to carry out this part, \$10,000,000 for fiscal
4 year 1995, and such sums as may be necessary for each
5 of the fiscal years 1996 and 1997.

6 “(b) RESERVATION.—

7 “(1) IN GENERAL.—Except as provided in para-
8 graph (2), the Secretary shall reserve for each fiscal
9 year 10 percent, or \$600,000 (whichever is greater),
10 of the amount appropriated pursuant to the author-
11 ity of subsection (a) to carry out—

12 “(A) section 712, with respect to the provi-
13 sion of technical assistance and information to
14 States;

15 “(B) section 713, with respect to the con-
16 duct of the evaluations;

17 “(C) section 711(a), with respect to the
18 evaluation of grant applications; and

19 “(D) section 714, with respect to the con-
20 duct of projects of national significance.

21 “(2) SPECIAL RULE.—The Secretary shall only
22 use funds reserved under paragraph (1) for a fiscal
23 year to carry out section 714 for such year if the
24 amount of funds reserved under such paragraph for
25 such fiscal year is \$700,000 or greater.



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